

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



March 26, 1992

ALL COUNTY LETTER NO. 92-33

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL JUVENILE COURT JUDGES

SUBJECT: HOME OF REMOVAL - FEDERAL AID TO FAMILIES WITH
DEPENDENT CHILDREN-FOSTER CARE PROGRAM

The purpose of this All County Letter (ACL) is to clarify "home of removal" and its relation to eligibility determinations under the Federal Aid to Families with Dependent Children-Foster Care (AFDC-FC) Program.

Federal and State law mandate that removal of children from their homes occurs only after a judicial determination has been made via a court order. Therefore, the court order is the document which defines from whom a child is removed.

The court order which removes the child and specifies that placement and care is vested with a specific agency will also specify from whom the child was removed. The person (or persons) listed on the court order is "the home of the parent or relative from whom removed."

To determine home of removal for the purpose of eligibility under the Federal AFDC-FC Program, Counties should continue to look at the court order to identify from whom the child was removed. Based on the information contained in the court order, Counties can determine if the child meets the Deprivation Requirement, AFDC-FG/U Linkage Requirement, and Authority for Placement under the Federal AFDC-FC Program.

For purposes of Federal Redetermination of Deprivation (Eligibility & Assistance Standards (EAS) 45-202.12), it is the status of the parent(s) or relative(s) named on the court order that must be reviewed to determine if deprivation still exists. Please refer to ACL 90-04 and ACL 91-44 for details regarding the redetermination of deprivation process.

When determining if a child is linked to the AFDC-FG/U Program (EAS 45-202.31), the circumstances of the parent(s) or relative(s) named on the court order must be reviewed to determine if any of the necessary conditions exist in the month of petition. Please refer to ACL 91-105 for details regarding the AFDC-FG/U linkage requirement.

To determine if the child meets the Authority for Placement requirement (EAS 45-202.41), Counties must review the court order language and determine if the necessary findings have been documented in this court order.

In addition, it continues to be critical to ensure that AFDC-FC payments are not made to a child who resides in the same home with the person(s) from whom removed (via court order). If the person or persons from whom the child was removed moves into the home where the child is placed, AFDC-FC eligibility ceases to exist and payments must be discontinued.

If you have any questions regarding eligibility under the AFDC-FC Program, please contact your Foster Care Program Consultant at (916) 445-0813.

Sincerely,



LOREN D. SUTER
Deputy Director
Adult & Family Services Division

cc: CWDA